

MINUTES
ZONING BOARD OF ADJUSTMENT
FEBRUARY 5, 2008
REGULAR MEETING
SALUTE TO FLAG
SUNSHINE LAW READ

ROLL CALL

PRESENT: Michael Fishman, Robert Knight, Michael Mahon,
Steven Pitchon, Joseph Sparacio, Adrienne Spota,
Matthew Weilheimer, Lewis Wildman

ALSO PRESENT: Michael Steib, Esq. Board Attorney
Sarah Paris, Administrative Officer
David Thesing, P.E., Board Engineer

ABSENT: Glenn Malysz

The Board accepted the minutes of January 15, 2008.

Offered: Lewis Wildman	Second: Robert Knight
Ayes: 5	Nays: 0
Absent: 1	Abstain: 3

Mr. Fishman presented a plaque to Joseph Castellucci thanking him for his years of dedication and service on the Zoning Board.

Public Comment

Pat Korabiak

Ms. Korabiak stated that many Board applications in the Township take too long to finish. She also stated that some of the homeowners are not aware of what expenses lie ahead of them. She asked that there be some leniency for homeowners as opposed to builders, and also asked that they create some method to expedite and reduce costs.

Mr. Fishman welcomed Mr. Pichon to the Board.

ZB 06-6256 – Athanasίου, Thomas

Request for an extension of time to file subdivision for 136 Crine Road, Block 180, Lot 88, in the R-80 zone.

Lewis Grenada, Esq., on behalf of the applicant.

Mr. Grenada stated that the Board previously granted the applicant a sub-division. He stated that they were seeking an extension of time to file the sub-division deeds.

Motion to grant extension of 9 months.

Offered by: Michael Fishman

Ayes: 7

Absent: 1

Seconded by: Lewis Wildman

Nays: 0

Abstain: 0

Motion granted.

MEMORIALIZATION

ZB 06-6260 – Furey, James & Dawn

Memorialization of a resolution granting approval of a bulk variance to construct a single family dwelling on an undersized lot that has no frontage on a public right-of-way, with insufficient lot width, at 72 School Road East, Marlboro, Block 362, Lot 19 in the R-80 zone.

Mr. Steib stated that as a condition of approval, the Board required a letter John Borden regarding the width of the driveway. They received the letter, and it indicated that an 18-foot wide access was required. Mr. Steib stated that the plans in A-56 did not show an 18-foot road.

Mr. Steib stated that the Board could still approve the resolution, and the applicant would still be required to meet the condition, or come back before the Board.

Offered by: Lewis Wildman

Ayes: 4

Absent: 1

Seconded by: Adrienne Spota

Nays: 0

Abstain: 0

ZB 07-6311 – Ayyala, Krishna & Laxmi

Continuation of a Public hearing for an approval to construct a 20' x 16' addition for a sunroom with an insufficient rear yard setback for principal structure, located at 47 Cape May Drive, Block 206.01, Lot 46 in the R-1.5 zone.

Laxmi Ayyala, 47 Cape May Drive, sworn.

Mr. Ayyala stated that he is looking to construct a small sunroom for his parents by closing in a deck. He stated that there would be no detriment to the neighborhood.

Mr. Staknys stated that the enclosure would make the deck area part of the principal structure instead of an accessory structure. He also stated that they needed a calculation for stormwater runoff.

Mr. Staknys stated that the shed on the property was not shown on the plans. He brought this to the attention of the Zoning Officer.

Mr. Fishman stated that it would be best for the applicant to bring in an updated survey. He may need a variance for the shed, and he also needs to calculate lot coverage.

This hearing will be carried to March 18, 2008 with no further notice. Applicant signed an extension of time form.

ZB 07-6291 – Retamozo, Romulo

Continuation of a Public Hearing for an approval to construct a two story addition, front porch and deck to an existing house on an undersized lot located at 575 Route 520, Block 214, Lot 17 in the LC zone.

Daniel Gonzalez, Esq., on behalf of the applicant.

Mr. Gonzalez stated that his engineering professional cancelled last minute. He also stated that they have new architectural drawings today.

Mr. Thesing stated that he did not receive the updated drawings, and could not provide the Board with any type of direction.

Mr. Fishman requested that the applicant come back on a later date. He also requested that he provide all plans, and an engineer's report several weeks prior to the hearing.

This hearing will be carried to April 1, 2008 with no further notice. Applicant signed an extension of time form.

Mr. Fishman recused from the last application. Mr. Knight served as Acting Chairman.

ZB 07-6303 – Lucas Development, LLC (Laidlaw Transit)

Continuation of a public hearing for an approval of a use variance and amended site plan to add a 248' x 80' additional gravel parking area which constitutes an expansion of a pre-existing non-conforming use located at 145 Amboy Road, Marlboro, Block 178, Lot 296 in the IOR zone.

Salvatore Alfieri, Esq., on behalf of the applicant.

The following Board members stated that they listened to tapes on this hearing: Steven Pitchon, Joseph Sparacio, Michael Mahon.

The following additional evidence was entered:

- A – 30 Report from Marlboro Township Police, Division of Traffic & Safety, dated October 2, 2007, prepared by Sgt. Joseph M. Lenge.
- A – 31 Report from GTS Consultants, dated December 4, 2007, prepared by Fredrick L. Voss, PE & LS.
- A – 32 Stormwater Management Report from GTS Consultants, dated July 9, 2007 *LAST REVISED December 4, 2007, prepared by Fredrick L. Voss, PE & LS.
- A – 33 Amended Preliminary and Final Site Plan from GTS Consultants, dated 1/24/07 *LAST REVISED 12/4/07, prepared by Fredrick L. Voss, PE & LS.
- A – 34 Engineering Report from Gravatt Consulting Group, dated December 12, 2007, prepared by David A. Thesing, PE.
- A – 35 Color Rendering of site plan dated 1/24/07
- A – 36 Aerial view of site from "Windows Live"
- A – 37 Report from Marlboro Township Police, Division of Traffic & Safety, dated December 20, 2007, prepared by Sgt. Joseph M. Lenge.

Rick Voss, P.E., GTS Consultants, 30 Broad Street, Freehold, sworn and accepted as an expert witness.

Mr. Voss explained that the applicant was looking to expand the parking lot for the bus company. He stated that currently the drivers have to move the busses out, and then park their cars. He stated that it was a heavily wooded area, and there would be minimal disturbance.

Mr. Voss stated that the applicant would be willing to provide curbing around the parking area.

Mr. Voss described the how they would handle stormwater runoff. He stated that they would be using a detention/infiltration basin. The drainage design will capture all of the runoff from the expanded area of the property.

Mr. Voss described the surrounding property. He stated that there was a recycling plant to the south and Triangle Industrial Park under construction to the north.

Mr. Voss stated that there are two additional light poles proposed. The light will not spray off of the property line and they will remediate any problems if they occur. He also stated that the site would not be visible from Route 18.

Mr. Voss stated that they would be removing 37 trees. As per the ordinance, they will either replant or contribute to the tree bank.

Mr. Voss stated that access to the site would not change. He also stated that there are two retaining walls existing on the site. The one closer to the lot will be extended.

Mr. Alfieri stated that the building would not be expanding, and the business was not expanding. They are just looking for better organization.

Mr. Voss stated that the parking spaces near the propane tanks were smaller, and intended for cars or vans, but the large busses would not park there. He was not sure how long the tanks were there.

Gene Santana, P.E., GTS Consulting, 30 Broad Street, Freehold, sworn and accepted as an expert witness.

Mr. Santana stated that the DEP spreadsheet was in the stormwater report. He stated that the site meets the minimum number of non-structural points. It also meets the annual minimum groundwater recharge.

Mr. Santana stated that the system is required to filter 80%, and the proposed system filters 80 – 90%. It also meets the criteria for quantity. It can capture 100% of a 100 year storm. The filters will be serviced regularly. They will provide and operations manual.

Mr. Voss and Mr. Santana discussed the items in Mr. Thesing's report.

Mr. Voss stated that a corner on the end of the driveway crosses over the property to the north. Both properties are owned by Mr. Lucas. They would like to have this memorialized so there is an easement in place to protect the driveway.

Mr. Voss stated that there are no proposed changes to the sign on the property.

John Leoncavallo, P.P., 388 Washington Road, Suite E, Sayreville, sworn and accepted as an expert witness.

Mr. Leoncavallo stated that this was an expansion of a pre-existing, non-conforming use. The bus company has been there for the past 10 years.

Mr. Leoncavallo stated that the proposed plan was consistent with the surrounding uses and with the master plan. He stated that there would be no detriment to the public good. The property will look exactly the same from the roadway.

Mr. Alfieri stated that they would still comply with the resolution. They would not be increasing the number of busses, but may need flexibility in the mix.

Mr. Leoncavallo stated that they currently have 91 spaces – 50 for the busses, and 41 for cars. He stated that with the proposed changes they are seeking 68 bus spaces, and 45 car. He stated that the number of trips would be the same regardless of what type of vehicles.

Workshop

Offered by: Robert Knight

Seconded by: Lewis Wildman

The Board members agreed that they would be in favor of the application. Ms. Spota stated that she was ok with the parking spaces near the propane. She also requested that there be no parking in the front.

Out of Workshop

Offered by: Robert Knight

Seconded by: Michael Mahon

Motion to grant application with the following conditions:

- Use variance for expansion of a non-conforming use

- Bulk variances

- Three technical waivers

- Five design waivers

- No expansion of the building

- Maintenance of the drainage filters

- Parking as long as the vehicles fit in designated spaces

- No parking in the front

- No increase of employees

- Shielding to be provided for additional lighting

- Continuation of existing restriction of left hand turn

Offered by: Robert Knight

Seconded by: Lewis Wildman

Ayes: 7

Nays: 0

Absent: 2

Abstain: 0

Motion granted.

Meeting adjourned.

Respectfully,

Denise K. Fluck